GOVERNMENT OF THE DISTRICT OF COLUMBIA

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ALCOHOLIC BEVERAGE REGULATION
ADMINISTRATION BOARD

IN THE MATTER OF:

Rugby Cafe, LLC., t/a Rugby Café 1065 Wisconsin Ave NW	Fact Finding Hearing [Extended Safekeeping]
Ret. Class CR	
License #75703	

Thursday,
May 15, 2014

Suite 400S
2000 14TH STREET, N.W.
Washington, D.C. 20009

The above-entitled matter convened at 2:01 p.m., before the District of Columbia Alcoholic Beverage Regulation Administration Board.

BEFORE:
RUTHANNE MILLER, Chairman
NICK ALBERTI, Member
DONALD BROOKS, Member
HERMAN JONES, Member
MIKE SILVERSTEIN, Member
HECTOR RODRIGUEZ, Member
JAMES SHORT, Member

P-R-O-C-E-E-D-I-N-G-S

(2:01 p.m.)

MR. KLINE: As long as I'm here, I'm wondering if you could call Rugby Cafe out of order and, then, I could be out of your hair until 5 o'clock?

CHAIRPERSON MILLER: Oh, sure. Okay. Let's see. We're ahead of schedule. That took like one minute. Okay. Maybe.

MR. KLINE: I'm trying to get us back on schedule.

CHAIRPERSON MILLER: Yes. Right. At 2 o'clock, we had a half an hour. So, we're not like imposing on anybody else's time. So, let me find Rugby. Yes. Rugby Cafe. Okay. We're going to call the case of Rugby Cafe at 1065 Wisconsin Avenue Northwest, License Number 75703 and ANC 2E. And, then, the license has been in extended safekeeping but I have since May 2013. I don't know.

MR. KLINE: I believe that's correct.

CHAIRPERSON MILLER: Okay.

MR. KLINE: I mean this is not one of those that's languished.

CHAIRPERSON MILLER: Not a real long languish?

MR. KLINE: For the record, Andrew Kline, on behalf of the licensee.

CHAIRPERSON MILLER: Right. Okay.

MR. KLINE: This is not one of those licenses that has languished for a long period of time. Rugby Cafe was the concept combination cafe and retail store that was owned and operated by the Ralph Lauren Corporation, the famous clothing brand.

CHAIRPERSON MILLER: Yes.

MR. KLINE: They closed that store or they closed the cafe part. I think the store is still open. And there's been some thought that they were going to reopen it. The latest is probably not and they've been in discussions with a couple different parties to sell the license.

They did purchase the license. They paid money for the license under the Georgetown moratorium. When they went in to open that store, they sent me out to find them a license, because that was the only way they could do it. We weren't in a period like we are now where, thanks to the Board, there seem to be licenses that are becoming available.

So, they did pay for it and they're asking for a bit of time, given that it hasn't been in safekeeping for a very long time, to see if they can consummate a deal. I did get an offer for the license earlier this week, which I've transmitted to them and it's corporate. I'm waiting to hear back from them. But that's where we are and what we're asking for at this point is some time to consummate a deal.

CHAIRPERSON MILLER: Questions?

MEMBER BROOKS: So, how much time you talking about, you asking for?

MR. KLINE: I mean I'd ask for six

months, at this point. As I said, I mean this is not one that's been in for years and years and years.

CHAIRPERSON MILLER: Okay. Also, in my notes, it says that it's been in safekeeping since May 10, 2013 and that there aren't any requests for an extension since November 29, 2013. Do you have anything in your records whether or not they have requested an extension?

MR. KLINE: No. I wasn't aware of an expiration, frankly. But I would orally make that motion, at this time.

CHAIRPERSON MILLER: Okay.

MR. KLINE: I was unaware of it.

CHAIRPERSON MILLER: Okay.

MEMBER RODRIGUEZ: Yes, six months.

CHAIRPERSON MILLER: All right. So, you're basically saying, in six months, you expect or hope that --

MR. KLINE: Six months that we

would report back that there's an agreement to transfer the license to another party at another location.

CHAIRPERSON MILLER: Okay. Any questions? Okay. So, then, I think it's reasonable to provide that the licensee has six months in which to report back to us specific progress with respect to transferring a license to another party and location. Correct? Okay. Any other comments?

So, again, I would suggest it would probably be efficient to put it in writing and, then, we can determine whether or not a fact finding is necessary.

MEMBER RODRIGUEZ: I have a question.

CHAIRPERSON MILLER: You have a question about that?

MEMBER RODRIGUEZ: Yes. Mr. Kline, my question is, when you propose to transfer it to another party, whenever that may be --

MR. KLINE: Right.

MEMBER RODRIGUEZ: -- what kind of party do you project transferring it to? What should that party look like, be like?

MR. KLINE: Oh, a restaurant operator that would make use of a CR license. In fact, the party that's made inquiry at this point has a site and I think the site that they're looking at is currently licensed for off-premise sales and they're looking at acquiring that site, surrendering the off-premise license and applying to transfer this license into that location.

MEMBER RODRIGUEZ: Okay. Thank you.

CHAIRPERSON MILLER: Oh, okay. Maybe I saw your expression before. I guess, if the transfer application comes in, then we won't need --

MR. KLINE: Right.

CHAIRPERSON MILLER: -- you know, documentation about what's going on. But, if

that doesn't come in --

MR. KLINE: One way or another you want to hear from us in six months. I got it. Right?

CHAIRPERSON MILLER: Yes. And, if a transfer comes in earlier --

MR. KLINE: Okay.

CHAIRPERSON MILLER: All right. Good. Thank you.

MR. KLINE: Thank you.

CHAIRPERSON MILLER: Okay.

[Whereupon, at 2:07 p.m., the fact finding hearing was adjourned]

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